



THE ATTORNEY GENERAL OF TEXAS

GERALD C. MANN

AUSTIN 11, TEXAS

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ATTORNEY GENERAL

Honorable George W. Cox
State Health Officer
Austin, Texas

Dear Sir:

Opinion No. O-2597
Re: Insurance of two mobile
laboratories.

We have your letter of August 2, 1940, in which you request opinion of this Department as to whether there is any way in which your Department may insure two mobile laboratories, and the contents thereof, as described by you.

In Opinion No. O-201, addressed to you on February 14, 1939, with reference to the authority of the State Health Department to insure against fire, State property in the respective offices of the Department, you were advised that in the light of Senate Concurrent Resolution No. 3, passed in the Second Called Session of the 37th Legislature, "Your district directors have no authority to pay insurance premiums from your local contingent funds."

This Department has written several other opinions on the question of the purchase of insurance by State Departments. These are: No. O-1762, No. O-184, No. O-2130, and No. O-1100, copies of which are attached hereto for your perusal, and which we believe cover all phases of your problem.

In view of the opinion expressed to you in Opinion No. O-201, and since it may be assumed that there is no substantial difference in the application of the rule between departmental property located in district offices and that located in mobile laboratories, we deem it unnecessary to review herein excerpts from these former opinions.

In accordance with past opinions of this Department, you are respectfully advised that it is our opinion that the State Department of Health may not insure these mobile laboratories.

Very truly yours

ATTORNEY GENERAL OF TEXAS

APPROVED AUG 9, 1940
/s/ Grover Sellers
FIRST ASSISTANT
ATTORNEY GENERAL
WRK:AMM:egw

By /s/ Walter R. Koch

Walter R. Koch
Assistant

Approved
Opinion Committee
By B W B Chairman